FARAD CONTINUATION SHEET NO:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.1828 OF 2006
IN
SECOND APPEAL NO.584 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.A.M.Kulkarni for the applicant.
Mr.Dilip Bodake for the respondent.

CORAM: D.B.BHOSALE, J.
DATED: 28TH AUGUST, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this civil application the applicant has prayed for allowing them to bring on record the heirs and legal representatives of deceased - respondent no.4. There is long delay in filing this application. This application is filed in the second appeal which arises from the decree of partition. Keeping that in view and considering the overall facts and circumstances of the case this civil application is allowed in terms of prayer clause (a) to (d).

3. Issue notice to respondent nos.4A and 4B, returnable in four weeks.

. In addition to Court's notice, the applicant to serve respondents nos.4A and 4B either personally or by Courier/Speed post/ E-mail/Fax, and file an affidavit of service before the returnable date.

4. It is open for respondent nos.4A and 4B to apply for recall/modification of this order if they so desire. Civil application is disposed of.

(D.B.BHOSALE, J.)